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Filing date: **02/03/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91190899
Party	Defendant Onsharp, Inc.
Correspondence Address	Z. PETER SAWICKI WESTMAN, CHAMPLIN & KELLY, P.A. 900 SECOND AVENUE SOUTH, SUITE 1400 MINNEAPOLIS, MN 55402 UNITED STATES psawicki@wck.com, cnelson@wck.com, jwolff@wck.com
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Date	02/03/2011
Attachments	Answer.pdf ( 4 pages )(126738 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

**In the matter of Trademark Application Serial No. 77/645,273 for the ONSHARP Mark  
Application Date January 7, 2009**

Sharp Kabushiki Kaisha, a/t/a Sharp Corporation, Opposer,	)	
	)	
	)	
v.	)	<b>Opposition No. 91190899</b>
	)	
	)	
Onsharp, Inc.,	)	
Applicant.	)	
	)	

**ANSWER TO NOTICE OF OPPOSITION**

**ANSWER**

Onsharp, Inc. ("Onsharp") is a company organized under the laws of the State of North Dakota and having a principle place of business at 2214 Rose Creek Boulevard South, Fargo, North Dakota, 58104, and herewith answers the allegations contained within the Notice of Opposition.

**GENERAL DENIAL**

Unless expressly admitted, Onsharp denies every allegation contained within the Notice of Opposition.

**ANSWER TO ALLEGATION CONTAINED IN NOTICE OF OPPOSITION**

1. Onsharp is without sufficient information to respond to the allegations contained in paragraph 1 of the Notice of Opposition, and therefore denies each and every allegation of paragraph 1 of the Notice of Opposition.

2. Onsharp denies that the mark “SHARP” has become famous in the United States. Onsharp is without sufficient information to respond to the remaining allegations contained in paragraph 2 of the Notice of Opposition, and therefore denies each and every remaining allegation of paragraph 2 of the Notice of Opposition.

3. While information from the United States Patent and Trademark Office website purports to indicate that Opposer is the owner of the registrations set forth in paragraph 3 of the Notice of Opposition, Onsharp has insufficient information to admit or deny the allegations contained in paragraph 3 of the Notice of Opposition, and therefore denies each and every allegation contained in paragraph 3 of the Notice of Opposition.

4. Denied.

5. Denied.

6. Denied.

7. Denied.

8. Denied.

9. Denied.

## **DEFENSES**

### **DEFENSE NO. 1**

10. Applicant contends, by way of denial of Opposer’s allegations, that no likelihood of confusion is created.

11. Applicant specifically reserves the right to file additional Defenses and Counterclaims as they may become known.

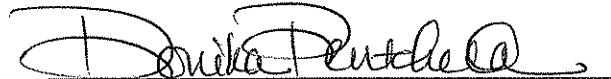
WHEREFORE, Applicant prays:

1. That the Notice of Opposition be dismissed in its entirety with prejudice.
2. That a registration on the Principal Register be issued to the Applicant for ONSHARP mark as set forth in Application Serial No. 77/645,273.

Respectfully,

WESTMAN, CHAMPLIN & KELLY, PA.

Dated: Feb. 3, 2011



Donika P. Pentcheva

Z. Peter Sawicki

Peter J. Ims

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**ATTORNEYS FOR APPLICANT  
ONSHARP, INC.**

## **CERTIFICATE OF SERVICE**

I hereby certify that I am over 18 years of age, am an employee of Westman, Champlin & Kelly, P.A., and am not a party to this action, and that on **February 3, 2011**, a copy of the following document:

### **I. ANSWER TO NOTICE OF OPPOSITION**

was sent via First Class Mail, postage prepaid to:

Robert W. Adams  
Sheryl De Luca  
NIXON & VANDERHYE, P.C.  
901 North Glebe Road, 11<sup>th</sup> Floor  
Arlington, VA 22203-1808

I certify under penalty of perjury that the foregoing is true and correct. Executed on **February 3, 2011**.

  
Donika P. Pentcheva